



# House of Representatives

General Assembly

**File No. 530**

*January Session, 2007*

Substitute House Joint Resolution No. 31

*House of Representatives, April 18, 2007*

The Committee on Judiciary reported through REP. LAWLOR of the 99th Dist., Chairperson of the Committee on the part of the House, that the substitute joint resolution ought to be adopted.

**RESOLUTION VACATING THE DECISION OF THE CLAIMS COMMISSIONER TO DENY THE CLAIM AGAINST THE STATE OF NOVELETTE BETHEA AND AUTHORIZING THE CLAIMANT TO SUE THE STATE.**

Resolved by this Assembly:

- 1 That the decision of the Claims Commissioner, file number 20185 of
- 2 said commissioner, ordering the denial of the claim against the state in
- 3 excess of seven thousand five hundred dollars of Novelette Bethea, is
- 4 vacated and the claimant is authorized to institute and prosecute to
- 5 final judgment an action against the state to recover damages as
- 6 compensation for personal injury allegedly suffered by the claimant on
- 7 October 15, 2003. Such action shall be brought not later than one year
- 8 from the date of the final adoption by the General Assembly of this
- 9 resolution.

**JUD**      *Joint Favorable Subst.*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either chamber thereof for any purpose:

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### **OFA Fiscal Note**

#### **State Impact:**

Agency Affected	Fund-Effect	FY 08 \$	FY 09 \$
Comptroller - Adjudicated Claims Account	GF - Potential Cost	Approximately 50,000	None
Colleges, Regional Comm.-Tech.	GF - Potential Cost	Less than 20,000	None

Note: GF=General Fund

**Municipal Impact:** None

#### **Explanation**

The resolution allows the claimant to sue the state to recover damages, in the amount of \$45,000, for a personal injury allegedly sustained as a result of negligence by Capitol Community College. In addition to damages, Regional-Community Technical Colleges might incur minimal legal expenses in this civil matter. Any workload to the Office of the Attorney General could be accommodated within budgeted resources. Payment on the claim itself, were it to occur, would be made from the Comptroller's Adjudicated Claim account.<sup>1</sup>

#### **The Out Years**

There is no fiscal impact in the out years.

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<sup>1</sup> The Adjudicated Claims account is a non-appropriated, General Fund account within the State Comptroller's agency for administrative purposes. Payments from this account would reduce a surplus or increase a deficit in the General Fund.

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**OLR Bill Analysis**

**sHJ 31**

***RESOLUTION VACATING THE DECISION OF THE CLAIMS  
COMMISSIONER TO DENY THE CLAIM AGAINST THE STATE OF  
NOVELETTE BETHEA AND AUTHORIZING THE CLAIMANT TO  
SUE THE STATE.***

**SUMMARY:**

The Office of Legislative Research does not analyze Resolutions.

**COMMITTEE ACTION**

Judiciary Committee

Joint Favorable Substitute

Yea 28 Nay 8 (04/02/2007)